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**U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION REPORT**

I. HEADING

Date: October 6, 2000
Subject: Nicor Mercury Sites, Chicago Suburbs, Multiple Counties, Illinois
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POLREP: # 1

II. BACKGROUND

CERCLIS ID No: ILN000508064	SITE ID # B5P9
Response Authority: PRP Oversight to	
CERCLA Unilateral Administrative Order	NPL Status: NA
Start Date: 09/18/00	Action Memo Status: NA
Completion Date: Projected 11/00	

III. SITE DESCRIPTION

A. Incident Category: NICOR Scrap Yard Mercury Spills - PRP Oversight

Site Location: Chicago Heights Scrap and Iron, Chicago Heights, Il., Berlinsky Scrap Corp, Joliet, Il.
DeKalb Iron and Metal, DeKalb, Il., Newton Iron, Ottawa, Il.

1. Site Description:

As evidence of improper and inconsistent handling of mercury mounted, U.S. EPA, IEPA and the Illinois Attorney General required Nicor to expand its investigation. Specifically, Nicor was directed to investigate the many Nicor service centers where regulators were taken after removal from residences, and to investigate scrap yards where regulators were taken after processing.

On 8/31/00, Nicor formally notified U.S. EPA that at least one scrap yard, Chicago Heights Iron & Supply Co., was discovered to possess scrap regulators, many of which were the mercury type. On 9/1/00, U.S. EPA

responded to the site and confirmed the presence of possibly one hundred or more regulators located in several piles on the property. U.S. EPA and IEPA confirmed the presence of elevated mercury vapor readings and also visually observed mercury still contained in the regulators. According to the scrap owner, between 3-5 loads of discarded Nicor regulators and scrap metal was removed from the Nicor Glenwood service center a year, for up to ten years.

On 9/2/00, U.S. EPA and IEPA began joint inspections of scrap yards identified by Nicor, who may have purchased what was supposed to be non-hazardous scrap metal to be later recycled. Inspections of Nicor service centers also began. When mercury regulators were removed from residential or industrial settings, they were transferred to these service centers. Nicor employees were to have removed the remaining metallic mercury from the regulators. It appears that Nicor did not have adequate procedures in place for removing mercury, or those procedures were not followed.

On 9/5/00, Illinois State and County prosecutors filed a five count lawsuit in Cook County Circuit Court against Nicor and two subcontractors to compel Nicor to develop a cleanup plan to be approved and overseen by the State of Illinois, U.S. EPA and ATSDR.

On 9/6/00, U.S. EPA issued a CERCLA Unilateral Administrative Order (UAO) to Nicor for the immediate cleanup of all scrap yards, Nicor service centers and any other industrial facilities found to be contaminated. U.S. EPA, with IEPA support, will oversee these cleanups. Nicor must first submit work plans (as specified by the order) for U.S. EPA review and approval.

2. Description of threat:

The presence of metallic mercury and associated vapor release discovered in many of the above mentioned scrap yards poses a serious threat to human health and the environment through direct contact, ingestion, and inhalation. Mercury vapor screening results discovered by U.S. EPA/START and by the cleanup contractor indicate levels well above guideline levels established by ATSDR, NIOSH and OSHA for worker exposures. A Determination of Threats Action Memorandum was prepared by the OSC and signed by the Director of Superfund, Mr. Bill Manno.

IV. RESPONSE INFORMATION

A. Situation

1. Current Situation

Nicor has assumed responsibility for the mercury spills and has retained cleanup contractors to perform the removal work. U.S. EPA has assumed a monitoring and oversight role to ensure that the scrap yards are properly remediated and that air monitoring activities and characterization and disposal of all waste streams are completed. As specified by the UAO, U.S. EPA will oversee cleanup of the scrap yards and Nicor service centers. IEPA will support this oversight particularly in the case of the service centers.

2. Removal Activities to Date

Chicago Heights Scrap and Iron Removal Action:

1. The work plan for the Chicago Heights Scrap and Iron removal action was approved on September 18, 2000
2. The removal action is being conducted by NICOR and their contractors under a Unilateral Administrative

Order.

3. The removal action initiated on September 19, 2000 with NICOR's contractors Huff and Huff and Heritage Environmental conducting the removal of mercury regulators, non-mercury regulators, contaminated scrap steel and contaminated soil.
4. The contractor set up the site and briefed all personnel on the site health and safety plan on September 19 2000.
5. Personnel began hand picking mercury regulators and placing them in 55-gallon drums. Seven 55 gallon drums were filled with mercury regulators and the 1 cu yard gaylord boxes were utilized and 6 of the boxes were filled. A total of 482 mercury regulators were found at the site. In addition, a mercury carrier (2 inch diameter pipe with NICOR name and Mercury labeled on it) was found in the regulator pile. IEPA requested U.S. EPA to place a custody seal on the drum containing the mercury carrier. Subsequently the seal was found broken on the following day but none of the regulators or the carrier had been moved, opened or tampered with. IEPA took possession of the evidence and removed the mercury carrier from the site.
6. NICOR's contractors began segregating scrap steel with and electromagnet and crane on September 20, 2000. The scrap was observed by two technicians as it was loaded into 30 cubic yard roll off boxes so that no mercury regulators were loaded into the box. Seven 30 cubic yard roll off boxes were loaded with scrap steel and non-mercury regulators. The boxes were screened and one box was found to contain readings above the agreed screening level of .01ug/m³. The boxes were screened the following day September 21 and both found to be below .01 ug/m³. It became obvious at this time that the screening technique was indicating mixed results due to wind speed, temperature and humidity. A screening technique in a more controlled environment is necessary by using visqueen or a liner over the roll-off box at an ambient temperature.
7. NICOR's contractor began screening and loading contaminated soil into boxes on September 21, 22 and 23. Twenty one 30-cubic yard roll-off boxes were loaded with mercury contaminated soil and were tarped and staged on the south fenced area within the yard. Disposal samples were collected from the roll-off on October 5 and disposal will be set up at a Subtitle C or D Landfill based on the results.
8. U.S. EPA, IEPA, and NICOR visited the three addition mercury contaminated junk yards on September 29 and 30 to discuss clean up options and work plan delivery. The yards that were visited were Berlinski in Joliet Illinois, DeKalb Iron and Metal in DeKalb, Illinois and Newton Iron in Ottawa, Illinois. Site sketches were made, samples collected with Gerome mercury vapor analyzer and the owners were consulted on areas were storage, and staging of the regulators took place.
9. U.S. EPA, IEPA, and NICOR held a conference call on October 3, 2000 to discuss final disposal of the regulators, scrap steel and soil. Options are still being considered and NICOR will propose alternatives to the government parties and additional work plans for the additional scrap yards on October 10, 2000.

Actions Planned:

- Receive and review NICOR work plan for removal of mercury regulators at the three other scrap yard location, Berlinsky, DeKalb Iron and Metal and Newton. (Due 10/10).
- Decision is needed on disposal of scrap steel and non-mercury regulators. In the interim, disposal is being evaluated by Huff and Huff at Allied Waste Disposal's Newton County Landfill in Indiana, and Republic Landfill in Three Oaks, Michigan. CID Landfill was also being evaluated, but a waiver would be needed from IEPA to accept the scrap material since it cannot be tested due to the physical

nature of the material (scrap steel too large to sample)

- Remove boxes of contaminated soil and scrap steel at Chicago Heights
- Approve of Work Plan and conduct removal actions at DeKalb Iron and Metal, Newton Iron, and Berlinsky Scrap Corp.
- Screen additional sites as needed.

3. Enforcement

On 7/31/00, U.S. EPA issued a CERCLA General Notice of Potential Liability (notice letter) and a Request for Information (information request) to both Nicor Gas and Henkels and McCoy, Inc.

On 9/1/00, U.S. EPA issued an additional information request to Nicor. On 9/1/00, U.S. EPA issued a notice letter, associated contamination discovered at the Chicago Heights Iron & Supply site, to both Nicor and the scrap yard owner.

On 9/6/00, U.S. EPA issued a Unilateral Administrative Order (UAO) to Nicor and Chicago Heights Scrap and Iron for the cleanup of the scrap yards. Notice letters to the three other scrap yards where mercury regulators have been discovered were sent to the owners. U.S. EPA is currently reviewing their enforcement options pertaining to sending the three additional Scrap Yard Owners Unilateral Administrative Orders.

B. Planned Removal Actions

- 1 Review work plans submitted by Nicor for the cleanup of scrap yards and service centers.
2. Complete removal action at Chicago Heights and initiate removal actions at Newton, DeKalb Iron and Metal and Berlinsky Scrap Corp.

C. Key Issues

The owner, Mr. Herb Glassman from Berlinsky Scrap Corp has hired counsel and has requested a meeting with NICOR and U.S. EPA to "discuss" the clean-up. On the first site visit to the facility the owner was not cooperative as far as moving some of the current operations to allow for the removal action to initiate. Berlinsky continues to add unsized scrap metal to the pile containing regulators. Berlinsky employees continue to work on shearing metal from the pile which may be contaminated with mercury. Sending a UAO to Berlinsky is an option the U.S. EPA is pursuing based on this early trouble and warnings from the first visit.

V. COSTS

TO BE DETERMINED.

* The above accounting of expenditures is an estimate based on amounts known by the OSC at the time of preparation of this report. The cost accounting data shown in this report does not necessarily represent the exact monetary figures which the U.S. Government may include in any claim for cost recovery.

VI. DISPOSITION OF WASTES

Any recovered mercury and all contaminated items generated as part of the Scrap Yard clean-ups being conducted under a UAO by Nicor under U.S. EPA and IEPA supervision.

VI. DISPOSAL INFORMATION

<u>Disposition of Wastes</u> <u>Chicago Heights Scrap and Iron, Chicago Heights, Illinois</u>			
<u>Waste stream</u>	<u>Quantity</u>	<u>Date</u>	<u>Disposal Facility</u>
<u>Mercury Regulators</u>	<u>7-55 gallon drums/ 6</u> <u>1 cu yard roll gaylord</u> <u>boxes</u>	<u>9/22/00</u>	<u>Temporary storage at Heritage</u> <u>Environmental, Lemont, Illinois awaiting</u> <u>retort at Bethlehem or Mercury Waste</u> <u>Solutions</u>
<u>Scrap Metal</u>	<u>6 30 cu yard roll-off</u> <u>boxes</u>	<u>9/22/00</u>	<u>Disposal Options are being considered.</u> <u>Subtitle D Landfill, Shearing and recycle</u> <u>at Steel Mill</u>
<u>Mercury Contaminated Soil</u>	<u>21-30 cu yard roll-off</u> <u>boxes</u>	<u>9/26/00</u>	<u>Sampled 10/5/00. Disposal will be set up</u> <u>based on analytical data at a Subtitle C or</u> <u>Subtitle D Landfill</u>
<u>Decontamination Water</u>	<u>3 55 gallon drums</u>	<u>9/26/00</u>	<u>Stored at Heritage Environmental</u> <u>pending disposal acceptance</u>
<u>Mercury Carrier Tube</u>	<u>1-2 oz of liquid</u> <u>mercury</u>	<u>9/20/00</u>	<u>IEPA collected as evidence and took off</u> <u>site</u>